



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: **C-1**

January 22, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ADOPT, ADVERTISE, AND AWARD
RETROFIT/REPLACEMENT OF UNDERGROUND STORAGE TANKS
AND FUEL FACILITIES, GROUP 5
ALL SUPERVISORIAL DISTRICTS
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this project is exempt from the provisions of the California Environmental Quality Act.
2. Find that this project has designated material by specific brand or trade name in order to match other products in use at other Public Works facilities.
3. Approve the project and adopt the plans and specifications for Retrofit/Replacement of Underground Storage Tanks and Fuel Facilities, Group 5, in the vicinities of Agoura, Whittier, Pico Rivera, Malibu, Lake Hughes, Monrovia, Lancaster, Montebello, Littlerock, Los Angeles, La Verne, Compton, El Monte, Glendora, Mount Wilson, La Puente, and Hawthorne (1, 2, 3, 4, and 5), at an estimated cost between \$1,900,000 and \$2,200,000.
4. Call for bids to be received on March 2, 2004.

5. Instruct the Executive Officer of the Board of Supervisors to advertise the project and to seal and return the plans and specifications to Public Works for filing.
6. Authorize the Director of Public Works to award and execute a contract with the lowest responsive and responsible bidder within or less than the estimated construction cost and to approve the Faithful Performance and Labor and Materials Bonds submitted by the contractor.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action involves contracting for the retrofit or replacement of underground tanks, piping, fuel dispensers, and the installation of canopies at Public Works' Aviation, Flood, Road, Waterworks and Sewer Maintenance facilities as well as the Hawthorne Airport. This work is necessary to bring the fueling systems into compliance with Federal, State, and local regulations.

We are also recommending that your Board delegate to the Director of Public Works the authority to award and execute the contract with the lowest responsive and responsible bidder within the estimated construction cost or less. The delegation of this authority allows us to expedite the contracting process so that the contractor can bring these facilities into compliance with Federal, State, and local regulations as rapidly as possible.

Implementation of Strategic Plan Goals

This project is consistent with the County Strategic Plan Goal of Service Excellence since it will keep Department facilities in compliance with Federal, State, and local regulations and protect soil and groundwater quality.

FISCAL IMPACT/FINANCING

The estimated construction cost is in the range of \$1,900,000 to \$2,200,000.

Sufficient funding is available in the 2003-04 Aviation, Flood, Road, Sewer Maintenance, County Engineer, and Waterworks and Sewer Maintenance Program Budgets to fund this project. The construction and contract administration work at the Hawthorne Airport is being funded by the City of Hawthorne through a City/County cooperative agreement. Previous design work for the City of Hawthorne was funded by the City through a City Service Request.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The enclosed plans and specifications include the contractual provisions, methods, and material requirements necessary for this project. The contract agreement will be in the form previously approved by County Counsel.

The enclosed plans and specifications specify a product by specific brand or trade name. Public Contract Code Section 3400 requires that your Board make a finding and disclose it in the invitation for bids. Language has been incorporated into the Notice Inviting Bids that a particular material or product is designated by specific brand or trade name in order to match other existing products currently in use at other Public Works facilities.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt pursuant to Class 1, Subsections (c), (i), and (l), and Class 3, Subsection (b), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

CONTRACTING PROCESS

This project will be contracted on an open competitive bid basis. The contract will be awarded to the lowest responsible bidder meeting the criteria established by your Board and the California Public Contract Code.

To increase contractor awareness of our program to contract work to the private sector, this project will be listed on the County website for upcoming bids.

The project specifications contain provisions 1) requiring the contractor to comply with the County's Child Support Compliance Program, 2) requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees, 3) requiring the contractor to comply with the requirements of the County's Contractor Employee Jury Service Program, and 4) requiring the contractor to comply with the Newborn Abandonment Law (Safely Surrendered Baby Law).

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The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported will be considered before making a recommendation to award.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The project is to be completed in 120 working days. It is estimated that the work will start in May and be completed in October 2004. Local residents and businesses will be informed that traffic and local access will be mildly disrupted during the construction.

CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

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Enc.

cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

RETROFIT/REPLACEMENT OF UNDERGROUND STORAGE TANKS
AND FUEL FACILITIES, GROUP 5
INSTRUCTION SHEET FOR PUBLISHING LEGAL ADVERTISEMENT

From: Department of Public Works
Construction Division

PUBLISHING

In accord with Section 20392 of the Public Contract Code.

Publish: At least ten consecutive times, prior to the date set for opening bids, in a daily newspaper of general circulation printed and published in the County and designated by the Board, or for at least two consecutive times prior to such date in a weekly newspaper printed and published in the County and designated by the Board.

Time Limitation: To open bids in four weeks.

NOTICE INVITING BIDS

Sealed Bids will be received by the County of Los Angeles Department of Public Works, Construction Division, for retrofit and replacement of underground tanks, piping, fuel dispensers, and the installation of canopies under Project ID No. GME0000005, Retrofit/Replacement of Underground Storage Tanks and Fuel Facilities, Group 5.

The Bids must be submitted at the Cashier's Office, west side of main lobby, 900 South Fremont Avenue, Alhambra, California 91803-1331, before 11 a.m. on Tuesday, March 2, 2004. The Bids will then be publicly opened and read in Conference Room C or at the location posted in the main lobby.

The Work shall be done in accordance with the Plans and Specifications on file and open for inspection at the County Board of Supervisors Executive Office and the Department of Public Works. The Work is estimated to cost between \$1,900,000 and \$2,200,000 and shall be completed in 120 working days. The Work requires a Class A contractor's license with a Hazardous Certification. Prebid questions regarding the Plans and Specifications should be directed to Ms. Jolene Guerrero at (626) 458-4975.

Bidders desiring to inspect any of the Worksites should contact Ms. Jolene Guerrero at (626) 458-4975. The Agency will make the sites available for inspection by request only on the following days and times:

9 a.m. to 2 p.m., Wednesday, February 18, and Thursday, February 19, 2004

The plans and specifications for this project have designated a fuel management system manufactured by Multiforce. The Board of Supervisors has made a finding that this brand name is specified in order to match other products in use at other Public Works facilities.

The Bids must be submitted on the Proposal forms included in the Bidder's package of the Contract Documents, which may be purchased for \$18, if the package is picked up, at the aforementioned Cashier's Office, (626) 458-6959, Monday through Thursday between 7 a.m. and 5:30 p.m., or at the Department of Public Works Permit Office, 38126 Sierra Highway, Palmdale, California 93550, (661) 974-4151, Monday through Friday between 7:30 a.m. and 4 p.m., or \$22, if mailed, including postage and handling.

Each Bid must be accompanied by a certified check, cashier's check, or surety bond payable to Los Angeles County in an amount equal to at least 10 percent of the Bid to guarantee that the Bidder will enter into the Contract if it is so awarded.

All persons performing the Work shall be paid not less than the General Prevailing Wage Determination made by the Director of Industrial Relations pursuant to the California Labor Code. Copies of these wage rates are available at the Department of Public Works.

The Bid must provide full disclosure of False Claims Act violations and civil/criminal legal actions as provided for on the three forms included as part of the Proposal. Failure to complete these forms may result in a determination that the Bidder is nonresponsive and/or not responsible.

The Contract, if awarded, will be awarded to the lowest responsive and responsible Bidder; however, the Board of Supervisors reserves the right to reject any and all bids.

A responsible Bidder is a Bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the Contract. It is the County's policy to conduct business only with responsible contractors.

The successful Bidder will be required to submit a faithful performance bond, payment bond, liability insurance, and workers' compensation insurance with the Contract.

As provided for in Section 22300 of the California Public Contract Code, the Contractor may substitute securities for any monies withheld by the Department of Public Works to ensure performance under the Contract or enter into an escrow agreement for payment of such monies to an escrow agent.

Each person by submitting a response to this Notice Inviting Bids certifies that such Bidder and each County lobbyist and County lobbying firm, as defined by Los Angeles County Code Section 2.160.010, retained by the bidder, is in full compliance with Chapter 2.160 of the Los Angeles County Code.

Para mas informacion con relacion a esta noticia, por favor llame a este numero (626) 458-3118. Nuestras horas de oficina son de 7 a.m. a 5 p.m. de Lunes a Jueves.

The County supports and encourages equal opportunity contracting.

By order of the Board of Supervisors of the County of Los Angeles, State of California.

Dated February 3, 2004.

Violet Varona-Lukens
Executive Officer
of the Board of Supervisors

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